

CALVIN L. RAMPTON  
Governor



OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON  
Executive Director,  
NATURAL RESOURCES

GUY N. CARDON  
Chairman

CLEON B. FEIGHT  
Director

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS, AND MINING  
1588 West North Temple  
Salt Lake City, Utah 84116  
(801) 533-5771

CHARLES R. HENDERSON  
ROBERT R. NORMAN  
I. DANIEL STEWART  
HYRUM L. LEE

M E M O R A N D U M

TO: GUY N. CARDON, CHAIRMAN  
OIL, GAS, AND MINING BOARD  
FROM: *RW* RONALD W. DANIELS, COORDINATOR OF MINED LAND DEVELOPMENT  
DATE: NOVEMBER 26, 1976  
SUBJECT: OBJECTION TO ORDER TO SHOW CAUSE NO. ACT/037/001 (B)  
RIO ALGOM CORPORATION, HUMECA URANIUM MILL

*In Jack's absence, Scheree thought it might be a good idea to forward this fellow's objection on to you so you can determine whether or not it is "of substance" and the Board should hold a hearing.*

*Enclosed is also a copy of an objection we received from Mr. Cole on the Atlas Minerals Patti Ann Mine. The Patti Ann Mine, I might add, is located several miles from the "Sal" claims according to the enclosed maps.*

*In my opinion, the Nuclear Corporation may well have valid claims in the area but the ownership of these claims cannot be settled through refusing approval of the Mining and Reclamation Plan. If he suspects that the plan will not fulfill the objectives of the Act then he should present the objections to the Division in these terms.*

*The time limit for our granting final approval on the Rio Algom plan is November 28th so your return opinion would be appreciated as soon as possible.*



JOHN Y. COLE

DOCTOR OF LAW

PETROLEUM ENGINEER

MINING COORDINATOR

ADMINISTRATIVE ASSISTANT

ALL

RETURN

FOR FILING

ATTORNEY AT LAW  
CALIFORNIA AND NEW YORK

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November 19, 1976

Board of Oil, Gas & Mining  
Department of Natural Resources  
State of Utah  
Salt Lake City, Utah

Re: Objection to  
Order to Show Cause  
No. ACT 037 00113  
Rio Algom Corp. et al

Attention: Mr. Sheree Wilcox  
Secretary of the Board

Gentlemen:

The Board's letter of November 16, received today as a reply to ours of November 9. In our letter, as it stated, we filed a specific "Objection" as required by the "Notice," but in no way did we file a request "to settle property claims."

The Board has taken preliminary jurisdiction for Rio et al under the "Land Reclamation Act" and, as stated, it cannot "settle property claims." This, of course, would apply, not only to "Sal," but also to the Rio et al locations.

It would be a travesty to permit Rio et al's "Plan" to disregard stated and published rights of "Sal" locations and others; namely, to permit Rio et al to act wherever they please, though on others' stated possessory and mining rights, done under the guise of ecology.

We have not disregarded ecology, and we have the right as to our properties and not some other property possessor, to file a Plan of Ecology if the occasion is required on our property.

As stated, our letter set forth specifically that it was an "Objection"; but the letter did not state, in any way, a request "to settle property claims." It only stated the specific "Objection" and facts as to location and possession of "Sal," to whom it may concern. Done as a necessary response to the "Notice." We specifically object to Rio et al's degradation and intrusion on "Sal's" stated and published locations, on the surface or underground, without "Sal's" owners' written consent.

Respectfully,

NUCLEAR CORPORATION

*John Y. Cole*

John Y. Cole, President

HYC:f